

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SORRELL HOMES, INC.,

Plaintiff,

v.

DOUGLASS R. STILES CO. LLC AND  
DOUGLASS R. STILES,

Defendants.

Civil Action  
No. 04-CV10260 WGY

**PLAINTIFF'S MOTION FOR AN ORDER REQUIRING DEFENDANTS TO APPEAR  
AND SHOW CAUSE WHY THEY SHOULD NOT BE HELD IN CONTEMPT FOR  
VIOLATING PERMANENT INJUNCTION**

Plaintiff Sorrell Homes, Inc. ("Sorrell Homes") hereby moves that this Court order that defendants appear to show cause why they should not be held in contempt for violating the terms of a permanent injunction issued by the Court in this action. The injunction issued by the Court on March 7, 2005 in this copyright infringement action permanently enjoins defendants from "selling, leasing, renting, conveying, or using in any way the Infringing House." By Order dated January 16, 2007, which followed defendants' request for relief from the judgment in order to be able to sell the Infringing House and an evidentiary hearing, the Court provided for relief from the injunction upon the payment of \$27,500 to Sorrell Homes. As set forth in the accompanying affidavits, however, the payment required by the January 16, 2007 Order has not been made and there is evidence that the house is occupied, apparently by a family with one or more children. It appears, therefore, that defendants are in violation of the injunction issued by the Court and Sorrell Homes respectfully requests that the Court order defendants to appear and show cause why they should not be held in contempt.

SORRELL HOMES, INC.

By its attorneys,

/s/ Joseph F. Hardcastle  
Joseph F. Hardcastle (BBO# 559479)  
Cintra S. Shober (BBO # 560120)  
HARDCASTLE & SHOBER  
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May 14, 2007

Certificate of Service

I hereby certify that this document has been filed through the ECF system, which will send notification of such filing to the attorney of record in this matter for defendants.

/s/ Joseph F. Hardcastle  
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Local Rule 7.1(A)(2) Certificate

I hereby certify that I attempted to confer with defendants' counsel to resolve or narrow the issues addressed in this motion. By letter dated April 25, 2007 to defendants' counsel Peter Brooks, Esq., I requested that Mr. Brooks contact me to confer in advance of the filing of a contempt motion, but Mr. Brooks has not done so. I also, before sending the letter, left voicemail messages for Mr. Brooks and for his colleague Todd M. McGrath, Esq., requesting that they return my call to discuss the matter but neither did so.

Signed under the pains and penalties of perjury this 14th day of May, 2007.

/s/ Joseph F. Hardcastle